

# House Concurrent Resolution No. 7

## 96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROWLAND.

4079L.011

**WHEREAS**, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

**WHEREAS**, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

**WHEREAS**, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

**WHEREAS**, today, in 2012, the states are demonstrably treated as agents of the federal government; and

**WHEREAS**, many federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States; and

**WHEREAS**, the United States Supreme Court has ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

**WHEREAS**, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the Constitution of the United States:

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; and

30           **BE IT FURTHER RESOLVED** that this resolution shall serve as a notice and demand  
31 to the federal government, as our agent, to cease and desist, effective immediately, mandates that  
32 are beyond the scope of these constitutionally-delegated powers; and

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34           **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of  
35 Representatives be instructed to prepare a properly inscribed copy of this resolution for the  
36 President of the United States, the President of the United States Senate, the Speaker of the  
37 United States House of Representatives, the Speaker of the House and President of the Senate  
38 of each state's legislature of the United States of America, and each member of the Missouri  
39 Congressional delegation.

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